

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-10347

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT SEPTEMBER 18, 2007 THOMAS K. KAHN CLERK

D. C. Docket No. 05-00362-CV-3-MCR-MD

MICHAEL T. MCLAREN,

Plaintiff-Appellant,

versus

SHERIFF RON MCNESBY,
in his official capacity as
Sheriff of Escambia County, Florida,
RENE VASQUEZ REGUINDIN,
in his individual capacity,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Florida

(September 18, 2007)

Before BIRCH, BARKETT and COX, Circuit Judges.

PER CURIAM:

Michael T. McLaren appeals the district court's grant of summary judgement in favor of Defendants Ron McNesby, Sheriff of Escambia County, and Rene Vasquez Reguindin, Deputy Sheriff, on the grounds that defendants were entitled to qualified immunity. Count I of the complaint is a 42 U.S.C. § 1983 claim against Reguindin in his individual capacity for unlawful detention. Count II is a state law claim for unlawful detention pled in the alternative against both Reguindin and McNesby. The district court granted summary judgment in favor of Reguindin on Count I and, declining to exercise supplemental jurisdiction over the state law claims, dismissed Count II without prejudice.

We affirm the grant of qualified immunity, agreeing with the district court that McLaren cannot show improper detention as a result of a failure to disclose truly exculpatory evidence.

AFFIRMED.